

# Exhibit 6

# Exhibit 6

**DECLARATION OF DENNIS L. KENNEDY, ESQ.**

I, Dennis L. Kennedy, Esq., declare as follows:

1. I am a resident of Clark County, Nevada, and a partner in the law firm of Bailey❖Kennedy, LLP (“Bailey❖Kennedy”), counsel for the Plaintiff Ronald Grider (“Mr. Grider”) in the matter entitled *Ronald Grider v. Clark County Collection Service, LLC, et al.*, Case No. 2:13-cv-1731-KJD-CWH, which is pending in the United States District Court for the District of Nevada. I make this Declaration in support of Plaintiff’s Motion for: (1) Preliminary Approval of Class Action Settlement Agreement; and (2) Certification of Settlement Class. I am competent to testify to the matters stated herein, which are based on personal knowledge unless otherwise indicated, and would do so if requested.

2. Mr. Grider and Defendants Dollar Loan Center, LLC (“DLC Nevada”), DLC Empire, LLC (“DLC Empire”), and Clark County Collection Service, LLC (“CCCS”) (collectively, the “DLC Defendants”) conducted substantial merits and class discovery leading up to the evidentiary hearing on Mr. Grider’s Motion for Class Certification.

3. Simultaneously, leading up to the evidentiary hearing on Mr. Grider’s Motion for Class Certification, Mr. Grider and the DLC Defendants (jointly, the “Parties”) were simultaneously engaging in settlement discussions.

4. On January 6, 2015, the Parties participated in mediation with the Honorable Lawrence Leavitt (Ret.). Although the Parties made substantial progress toward a settlement, they were unable to reach a resolution.

5. One day prior to the evidentiary hearing, the Parties agreed on the general framework of a settlement agreement. However, the Parties had difficulties reaching consensus as to certain terms of the Settlement Agreement and requested that the Court order the Parties to engage in a Judicial Settlement Conference with the Honorable Carl W. Hoffman—the Magistrate Judge assigned to the Matter.

6. On June 19, 2015, the Parties attended a Judicial Settlement Conference with Magistrate Judge Hoffman and were able to reach an agreement as to the essential terms of a settlement.

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7. The Parties attempted to reduce their agreement into a fully integrated settlement agreement and release but still were at an impasse as to one term—the definition of the claim amount.

8. On September 22, 2015, the Parties again attended a Judicial Settlement Conference with Magistrate Judge Hoffman and were able to reach an agreement as to the the definition of the claim amount.

9. Beginning in July 2013, Bailey❖Kennedy began investigating the alleged claims of the Plaintiff and the operations of the DLC Defendants. Bailey❖Kennedy has devoted a significant amount of time and energy to adequately identify potential claims in this action, including substantial legal research regarding the Telephone Consumer Protection Act (“TCPA”) and Nevada Deceptive Trade Practices Act (“NDTPA”).

10. Bailey❖Kennedy is experienced in class actions and consumer law. Bailey❖Kennedy has represented clients in numerous complex litigation matters and previously served as class counsel in other matters.

11. I have substantial experience in class actions and complex litigation cases. A true and correct copy of my Class Action Curriculum Vitae, which accurately reflects my professional experience with respect to class actions, is attached hereto as Exhibit 6-A.

12. Bailey❖Kennedy has zealously represented, and will continue to to zealously represent, Mr. Grider and the putative class members. Bailey❖Kennedy has the resources the putative class members and is prepared to invest the time and resources to adequately serve as class counsel.

13. Bailey❖Kennedy is not aware of any other litigation between a putative class member and any of the DLC Defendants regarding similar claims alleged by Mr. Grider. The DLC Defendants have not indicated, through discovery or otherwise, that other litigation exists between a putative class member and any of the DLC Defendants regarding similar claims alleged by Mr. Grider.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 4th day of October, 2015.

DENNIS L. KENNEDY

# Exhibit 6-A

# Exhibit 6-A

**DENNIS L. KENNEDY**  
**CLASS ACTION CURRICULUM VITAE**

Dennis L. Kennedy is a partner in the firm of Bailey❖Kennedy, a twelve-lawyer litigation firm formed – as presently constituted – in 2006. Mr. Kennedy has been practicing law in Nevada since 1975, focusing mainly on commercial litigation. He has significant experience in complex and protracted class actions and multi-party cases, including:

- *Forsyth v. Humana, Inc.*, 827 F. Supp. 1498 (D. Nev.1993), aff'd in part and rev'd in part by *Forsyth v. Humana, Inc.*, 99 F.3d 1504 (9<sup>th</sup> Cir. 1996); superseded on rehearing by *Forsyth v. Humana, Inc.*, 114 F.3d 1467 (9<sup>th</sup> Cir. 1997); affirmed by *Humana, Inc. v. Forsyth*, 525 U.S. 299 (1999). (Co-lead counsel in defense of class action against insurance and hospital company lasting 12 years).
- *Poulos v. Caesar's World, Inc.*, 379 F.3d 654 (9<sup>th</sup> Cir. 2004). (Co-lead counsel in defense of class action against 50 casinos throughout the western hemisphere and 8 of the world's largest cruise lines lasting 11 years.)

- In excess of thirty smoking and tobacco-related cases (individual, multi-party and class actions) defending R.J. Reynolds and/or Philip Morris, including:

*Badillo v. American Brands*, 117 Nev. 34, 16 P.3d 435 (2001); and

*Badillo v. American Brands*, 202 F.R.D. 261 (D. Nev. 2001).

- Co-lead defense counsel in United States cases involving nutritional supplements (principally ephedra products) alleged to be defective/dangerous, including:

*Smith, et al. v. Muscletech Research & Development, Inc., et al.*, Case No. CV 03-01024, 2<sup>nd</sup> Judicial District Court, County of Washoe, Nevada.

*Jaramillo, et al. v. Muscletech Research & Development, Inc., et al.*, Case No. D-0101-CV-2003-01190, First Judicial District Court, County of Santa Fe, New Mexico.

- Co-lead counsel for national class of Plaintiffs alleging that certain nutritional supplements were falsely labeled and deceptively advertised.
  - In Re Wellnx Marketing and Sales Practices Litigation, U.S. Dist. Ct. Massachusetts, Boston Div., MDL Case No. 1:07-md-01861-RGS.

- Lead counsel for Nevada Plaintiffs alleging defects in Toyota automobiles.
  - *Matsis, et al. v. Toyota Motor Corp, et al.*, Case No. 2:10-cv-01076-PMP-PAL, U.S.D.C., District of Nevada; consolidated as a part of *In Re: Toyota Motor Corp. Unintended Acceleration Marketing Sales Practices and Products Liability Litigation*, Case No. 8:10-ML-02151 JVS (FMOX), US Dist Ct, Central Dist Calif, So. Div.

Mr. Kennedy is the former co-editor in chief of the Nevada Civil Practice Manual (6<sup>th</sup> edition, LexisNexis 2013), and a periodic adjunct professor of law at the William S. Boyd School of Law (UNLV), where he teaches civil practice and procedure.